



April 13, 2015

Chair Felicia Marcus and Board Members  
c/o Jessica Bean  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

Sent via electronic mail to: [Jessica.bean@waterboards.ca.gov](mailto:Jessica.bean@waterboards.ca.gov)

**RE: Comment Letter – Urban Water Conservation Workshop**

Dear Chair Marcus and Board Members:

Thank you for the opportunity to comment on the regulatory framework developed by the State Water Resources Control Board to implement the Governor’s mandatory conservation regulations. California Coastkeeper Alliance (“CCKA”) is a network of twelve Waterkeeper organizations working to protect and enhance clean waters, and to develop, support, and advance local conservation measures.

Our comments focus on the establishment of an effective enforcement framework, which will dictate the ultimate effect of the mandatory conservation regulations and achievement of the 25% reduction mandate set by Governor Brown. Based on our direct experience with local action (and inaction) to conserve water, successful implementation of the conservation regulations depends on at least four elements:

- 1) **Additional resources and staff dedicated to enforcement, with a focus on coordinating efforts with Regional Water Boards;**

Resource and staff constraints are consistently identified as the primary impediment to enforcement of State Water Board regulations. We encourage the Board to seek needed resources to implement its regulations and growing body of drought regulations. In particular, it will be important to coordinate with Regional Water Boards to enforce drought-related issues, coordinate with municipalities, and coordinate with cities and water districts on landscape transitioning.

- 2) **Application of enforcement tools that have immediate impact on water agencies;**

Among the enforcement tools identified in the framework, Conservation Orders appear to provide the most immediate impact. We support the Board’s use of Conservation Orders and urge the Board to develop a sample Order that describes requested action under forthcoming orders (e.g. price surcharges, fines for profligate users, field inspections, bans on new developments with lawns, and lawn conversion incentives). In addition the enforcement tools described in the regulations framework, we encourage the early development of Cease and Desist Orders for non-compliant suppliers in the event consumption is not reduced to mandatory levels. We also encourage the Board to consider mandatory penalties for non-compliant suppliers.

- 3) **Early identification and description of enforcement priorities to provide clarity and equity to all involved;** and

While recognizing the need for agency discretion and flexibility in enforcement actions, we believe that the Board can create a transparent and fair enforcement framework by agreeing upon and communicating enforcement priorities at the outset of the new regulation implementation. For example, we strongly support the proposed regulatory framework tiers, and urge the Board to use the framework to guide State Water Board enforcement, and water conservation regulation, more generally. We encourage the Board to think about how to methodically guide enforcement measures and to consider different factors such as average gallons per day usage, high overall water use, history of non-compliance with voluntary conservation targets to date.

- 4) **Communication with water agencies to relay the rationale, intent of new enforcement procedures and to support good faith local efforts.**

\*\*\*

We look forward to working with State Water Board members and staff to develop and implement the mandatory conservation regulations. We also ask the Board to consider other needed changes to our state's water management including increased regulation of agricultural water use and pricing reform.

Sincerely,



Sara Aminzadeh, Executive Director